THE HON'BLE MR JUSTICE K.C.BHANU

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WRIT PETITION NO : 12307 of 2005

Dated: 09-09-2005

Between:

1 Pushpedu Sri Krishna Murthy, S/o. P. Venkateswarlu
2 Pushpedu Sankara Rao S/o. P. Venkateswarlu
3 Pushpedu Sri Rama Murthy, S/o. P. Venkateswarlu
4 Pushpedu Jana Bai W/o. P. Venkateswarlu
All are R/o. Pushadapuvaripalem, Nagari Mandal, Guntur dist.

..... PETITIONERS

AND

1 The Commissioner of Endowments
Boggulakunta Hyderabad.
2 The Asst. Commissioner of Endowments
Vijayawada Krishna District.
3 Sri Venkateswara Swamy Temple,

Rep.by its Executive Officer/Person-in-management
Bochupeta Machilipatnam, Krishna District.

.....RESPONDENTS

THE HON'BLE MR JUSTICE K.C.BHANU

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WRIT PETITION NO : 12307 of 2005

ORDER:

Declaring the notices issued by the 3rd respondent in Form.No.1, bearing No.26/05, dt.21-04-05, directing the petitioners to vacate the lands and handover the possession to the 3rd respondent within 30 days of the receipt of the notices as illegal and arbitrary, the present writ petition is filed.

None appeared for the petitioners. Heard the learned Government Pleader for Endowments.

The claim of the 1st petitioner is that he is landless poor person within the meaning of the Endowments Act, but he was not determined as landless poor person by the competent authority, so also he has not made any application before the competent authority so as to declare him as landless poor person. Though it is stated in the affidavit that he filed an application before the 1st respondent, but the date of filing or copy of the application is not available before this court. Therefore, it cannot be said that he is a landless poor person. Hence he has to vacate the land. Further more it is not shown that the impugned proceedings are in violation of any of the rules. Through out the affidavit he stated that the respondents violated Rule 3 and Section 5(2) of the Endowments Act, but what is that violation has not been stated.

Since no right of the petitioner is infringed in this writ petition, the relief cannot be granted and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

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K.C.BHANU, J.

Dated: 09-09-2005.

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